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In re application of:

ROTHBARTH, Karsten

Application No. 09/701,618
 Confirmation No. 8034

Filed: December 1, 2000

For: METHOD FOR TRIGGERING
 APOPTOSIS IN CELLS

Art Unit: (Unassigned - New Appln.)

Examiner: (Unassigned - New Appln.)

Atty. Docket No. 2502498-991100
 (formerly 41154)

Customer No.

35928

35928

PATENT TRADEMARK OFFICE

PAPER(S) FILED ENTITLED:**RECEIVED**

23 OCT 2007

U.S. Patent and
 International Division

1. Renewed Petition under 37 C.F.R. 1.181
 (w/copy of stamped filing receipt of April 13, 2001; [copy] of
 check no. 63143 as issued for previous filing)

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DOCKET NO.: 2502498-991100 (formerly 41154)
 ATTORNEY/SEC: DNakamura/pmakle**Date Filed: September 29, 2003**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ROTHBARTH et al.

Application No. 09/701,618

Confirmation No. 8034

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For: METHOD FOR TRIGGERING
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PATENT TRADEMARK OFFICE

RENEWED PETITION UNDER 37 C.F.R. 1.181

Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop PCT

Sir:

In reply to the Decision mailed 30 July 2003, copy attached hereto, attached hereto is a copy of the stamped filing receipt, the check as prepared by the Roylance firm indicating the docket number of 41154, which was the Roylance docket number for the instant application, as well as a copy of the \$65 surcharge check including the endorsement on the reverse side indicating that the check was deposited on 16 April 2001.

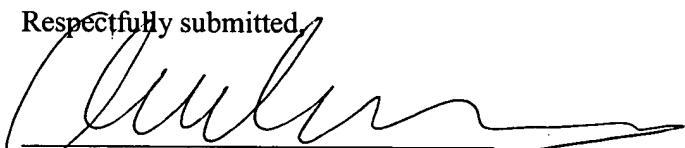
Thus, the instant application was complete as of the filing of the executed Declaration on 13 April 2001, as evidenced particularly by the deposit of the surcharge payment for the late filing of the Declaration.

Accordingly, applicants respectfully request that the Notification of Defective Response be vacated as well as the Decision of 30 July 2003 as the application was never abandoned. Applicants respectfully request that the application be acknowledged as pending and passed on for examination on the merits.

However, if the Commissioner finds to the contrary, applicants hereby petition for revival under 37 C.F.R. 1.137 as the entire delay was unintentional. The executed Declaration was filed previously, and a copy was filed when responding to the Notification of Defective Response. The surcharge fee for late filing of the executed Declaration was paid. The petition fee can be charged to Deposit Account No. 07-1896. It is believed a Terminal Disclaimer is not required.

In sum, applicants maintain that a proper filing of the executed Declaration was made on 13 April 2001 and at that time, the instant application was complete. Favorable consideration and early indication thereof are requested respectfully. If any further fees are required to maintain pendency of the instant application, aside from the Issue Fee, the Commissioner is authorized to charge any such fee to Deposit Account No. 07-1896.

Respectfully submitted,


Dean H. Nakamura, Esq.

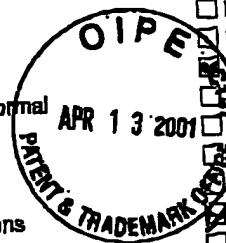
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Date: 29 September 2003

Due Date 7/1/03 Today's Date 7/13/03
USSN/USP 09/781,940 RAB&G FILE NO. 41154 BY: DHN / KMS
In Re Ernest et al. Rothblatt et al.
Method for Regulating Apoptosis in Cells
For Oligonucleotide Conjugates

The following was received in the U.S. Patent & Trademark Office on the date stamped hereon:

Check for \$ 65 + \$40
 Specification _____ pgs. _____ claims
 Combined Decl., Petition & Power
 Assignment
 Drawings _____ Sheets Formal Informal
 Small Entity Statement
 Claim for Priority & Document
 Information Disclosure Statement
 Trademark Application & _____ Specimens
 Rule 53(b) Appn. Rule 53(d) Appn. (CPA)



Amendment Response
 Notice of Appeal
 Brief Req. Oral Hearing
 Filing Fee Transmittal
 Trademark Renewal Application
 Decl. of Use 8 15
 Petition to Extend _____ mos./days
 Completion of Application

 Due Date Not Related To Response

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THE AMERICAN JOURNAL OF THEOLOGY AND PHILOSOPHY

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John C. Schussler
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ROYLANCE, ABRAMS, BERDO & GOODMAN, L.L.P.

INVOICE	DATE	DESCRIPTION	NET
41154	04/13/2001	Huber & Schussler- 41154	65.00

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65.00

Check# / Date 63143 04/13/2001 Commissioner of Patents & Trademarks

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